

## ADMINISTRATIVE RULES

### Fiscal Estimate & Economic Impact Analysis

<b>1. Type of Estimate and Analysis</b> <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	<b>2. Date</b>								
<b>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable)</b> MPSW 1, 3, and 5									
<b>4. Subject</b> Examinations									
<b>5. Fund Sources Affected</b> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	<b>6. Chapter 20, Stats. Appropriations Affected</b> 20.165(1)(g)								
<b>7. Fiscal Effect of Implementing the Rule</b> <table style="width: 100%;"><tr><td><input type="checkbox"/> No Fiscal Effect</td><td><input type="checkbox"/> Increase Existing Revenues</td><td><input checked="" type="checkbox"/> Increase Costs</td><td><input type="checkbox"/> Decrease Costs</td></tr><tr><td><input type="checkbox"/> Indeterminate</td><td><input type="checkbox"/> Decrease Existing Revenues</td><td colspan="2"><input checked="" type="checkbox"/> Could Absorb Within Agency's Budget</td></tr></table>		<input type="checkbox"/> No Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input checked="" type="checkbox"/> Increase Costs	<input type="checkbox"/> Decrease Costs	<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input checked="" type="checkbox"/> Could Absorb Within Agency's Budget	
<input type="checkbox"/> No Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input checked="" type="checkbox"/> Increase Costs	<input type="checkbox"/> Decrease Costs						
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input checked="" type="checkbox"/> Could Absorb Within Agency's Budget							
<b>8. The Rule Will Impact the Following (Check All That Apply)</b> <table style="width: 100%;"><tr><td><input type="checkbox"/> State's Economy</td><td><input type="checkbox"/> Specific Businesses/Sectors</td></tr><tr><td><input type="checkbox"/> Local Government Units</td><td><input type="checkbox"/> Public Utility Rate Payers</td></tr><tr><td colspan="2"><input checked="" type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b></td></tr></table>		<input type="checkbox"/> State's Economy	<input type="checkbox"/> Specific Businesses/Sectors	<input type="checkbox"/> Local Government Units	<input type="checkbox"/> Public Utility Rate Payers	<input checked="" type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b>			
<input type="checkbox"/> State's Economy	<input type="checkbox"/> Specific Businesses/Sectors								
<input type="checkbox"/> Local Government Units	<input type="checkbox"/> Public Utility Rate Payers								
<input checked="" type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b>									
<b>9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1).</b> \$0									
<b>10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No									
<b>11. Policy Problem Addressed by the Rule</b> This rule project amends the MPSW code to reflect that social work credential applicants take two separate examinations, a national examination to test competency, and a state statutes and codes examination. Currently the rules refer to these separate examinations as two parts of the same examination. This may result in confusion to applicants and other stakeholders. The rule project also will remove obsolete references to examination review and claims of examination error.									
<b>12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.</b> The proposed rule was posted on the Department of Safety and Professional Services's website for 14 days in order to solicit comments from businesses, representative associations, local governmental units, and individuals that may be affected by the rule. No comments were received.									
<b>13. Identify the Local Governmental Units that Participated in the Development of this EIA.</b> No local governmental units participated in the development of the EIA.									
<b>14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)</b> This proposed rule will not have a significant impact on specific businesses, business sectors, public utility rate payers, local governmental units, or the state's economy as a whole.									
<b>15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule</b> Implementing this rule will provide clarity to applicants and stakeholders as to the examination process, as well as bring the code into conformity with current practice. Failure to implement this rule will result in a continued lack of clarity for stakeholders and applicants.									
<b>16. Long Range Implications of Implementing the Rule</b> The long range implication of implementing the rule is that the examination process for credential holders will be more clear for applicants.									



## **ADMINISTRATIVE RULES**

### **Fiscal Estimate & Economic Impact Analysis**

---

#### 17. Compare With Approaches Being Used by Federal Government

The federal government does not issue credentials or set examination procedures for marriage and family therapists, professional counselors, or social workers

---

#### 18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois:

Illinois requires applicants for licensure as a marriage and family therapist to pass the Association of Marital & Family Therapy Regulatory Boards (AMFTRB) national examination (Ill. Admin. Code s. 1283.40). Social work applicants are required to pass the Association of Social Work Boards (ASWB) masters examination for a licensed social workers, and the clinical examination for clinical social workers. (Ill. Admin. Code s. 1470.70). For licensure as a professional counselor, an applicant may pass either the National Counselor Examination (NCE) or the Certified Rehabilitation Counselor Examination (CRCC) (Ill. Admin. Code s. 1375.60). Licensure as a clinical professional counselor requires passage of the NCE in addition to the National Clinical Mental Health Counseling Examination (NCMHCE) (Ill. Admin. Code s. 1375.150 (a)).

There is not a state statute specific examination. Nor do the social work, marriage and family therapy, nor professional counselor rules contain procedures for the review of examination or claims of examination error, nor a provision relating to the denial of the release of grades or issuance of a credential if the board determines that the applicant violated the rules of conduct or otherwise acted dishonestly.

Iowa: Iowa requires an applicant for licensure as a marital and family therapist to pass the AMFTRB examination in marital and family therapy (IAC 31.3 (1) (a)). Applicants for licensure as mental health counselor are required to pass either the NCE or the NCMHCE) (IAC 31.3 (1) (b)). Applicants for a social work license must pass the ASWB examination at the level commensurate with their credential (IAC 280.4 (1)). For example, a bachelor level social worker must pass the basic level examination, a master level social worker must pass the intermediate level examination, and an independent level social worker must pass the clinical level examination (Id.).

There is not a state statute specific examination. Nor do the social work, marriage and family therapy, nor professional counselor rules contain procedures for the review of examination or claims of examination error, nor a provision relating to the denial of the release of grades or issuance of a credential if the board determines that the applicant violated the rules of conduct or otherwise acted dishonestly.

Michigan: Applicants for licensure as a marriage and family therapist must pass the AMFTRB marital and family therapy examination (R. 338.7205 (d)). Bachelor's level social workers must pass the ASWB bachelor's examination (R. 338.2941 (1) (c)), master's level social workers must pass either the ASWB advanced generalist examination or clinical examination (R. 338.2951 (1) (b) and 338.2953 (b)). Licensure as a professional counselor requires passage of either the NCE or CRCC examination (R. 338.1752 (3) (b)).

There is not a state statute specific examination. Nor do the social work, marriage and family therapy, nor professional counselor rules contain procedures for the review of examination or claims of examination error, nor a provision relating to the denial of the release of grades or issuance of a credential if the board determines that the applicant violated the rules of conduct or otherwise acted dishonestly.

Minnesota: Licensure as a marriage and family therapist in Minnesota requires passage of both the AMFTRB marital and family therapy examination as well as a state oral examination testing knowledge of state laws, ethics, and professional responsibilities (Minn. Admin. Code 5300.0130 (1) (F)). Licensure as a professional counselor is set by state statute, and requires passage of the NCE or an equivalent national examination as determined by the board, and

---



## **ADMINISTRATIVE RULES**

### **Fiscal Estimate & Economic Impact Analysis**

ethical, oral, and situational examinations if prescribed by the board (Minn. Stats. 148B.53 (1) (a) 5.). It does not appear that the board has approved additional examinations or prescribed additional testing by rule.

Licensure as a licensed social worker requires passage of the ASWB bachelor's examination (Minn. Stats. 148E.055 (2) (a) 2.), passage of the master's examination administered by the ASWB for licensure as a licensed graduate social worker (Minn. Stats. 148E.055 (3) (a) 2.), passage of the advanced generalist ASWB examination for licensure as an independent social worker (Minn. Stats. 148E.055 (4) (a) 3.), and passage of the ASWB clinical examination for licensure as a clinical social worker (Minn. Stats. 148E.055 (5) (a) 4.).

There is not a state statute specific examination for professional counselors and social workers. Neither the social work, marriage and family therapy, nor professional counselor rules nor statutes contain procedures for the review of examination or claims of examination error, nor a provision relating to the denial of the release of grades or issuance of a credential if the board determines that the applicant violated the rules of conduct or otherwise acted dishonestly.

---

**19. Contact Name**

Jon Derenne, Administrative Rules Coordinator

---

**20. Contact Phone Number**

(608) 266-0955

---

This document can be made available in alternate formats to individuals with disabilities upon request.



**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

---

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

---

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

---

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- ☐ Less Stringent Compliance or Reporting Requirements  
☐ Less Stringent Schedules or Deadlines for Compliance or Reporting  
☐ Consolidation or Simplification of Reporting Requirements  
☐ Establishment of performance standards in lieu of Design or Operational Standards  
☐ Exemption of Small Businesses from some or all requirements  
☐ Other, describe:

---

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

---

5. Describe the Rule's Enforcement Provisions

---

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

☐ Yes    ☐ No

---